

Rec'd PCT/PTO 26 SEP 2003

3815.01

September 25, 2003 (1:13pm)

Docket: 3815.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Celso MARTINEZ, Jr.

Attorneys Docket: 3815.01

Serial No.: 09/490,740

Art Unit No.: 3635

Filed: January 25, 2000

Examiner: P. Chavez

For: "A ROOF WATERPROOFING SYSTEM CONSISTING OF AN ORGANIC RESIN
PROTECTED BY AN ALUMINUM-COPOLYMER COMPOSITE FOIL"

Commissioner for Patents
Alexandria, VA 22313-1450
ATTN: Ms. Catherine Short, PCT Legal

COMMUNICATION

Dear Ms. Short:

Pursuant to our telephone conference on September 15, 2003, enclosed is a copy of a set of papers filed May 14, 2003 to reconstruct a lost file. Apparently, the May filing has been lost as well.

This filing is delayed because Federal Express lost a delivery to our Washington courier.

Your assistance is appreciated in attempting to issue this patent application for which the Issue Fee was paid in November 2001.

Respectfully submitted,



Charles S. Guenzer
Registration No. 30,640
(650) 566-8040

Date: 25 Sept. 2003

Correspondence Address
Law Office of Charles Guenzer
P.O. Box 60729
Palo Alto, CA 94306

CERTIFICATE OF MAILING

I hereby certify that this correspondence is, on the date below, being deposited with the U.S. Postal Service as first-class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, DC 20231.

Date: 14 May 2003 Ingrid C. Mallory
Ingrid C. Mallory

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Celso MARTINEZ, Jr. **Attorneys Docket:** 3815.01

Serial No.: 09/490,740 **Art Unit No.:** 3635

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For: "A ROOF WATERPROOFING SYSTEM CONSISTING OF AN ORGANIC RESIN PROTECTED BY AN ALUMINUM-COPOLYMER COMPOSITE FOIL"

Commissioner of Patents and Trademarks
Mail Stop: RECONSTRUCTION
Alexandria, VA 22313-1450

RECONSTRUCTION OF FILE UNDER 37 CFR §1.251

Sir:

The Communication of May 2, 2003 stated that the USPTO file for the above case cannot be located. It further required Applicant to provide Applicant's record of correspondence with the USPTO. Attached, as summarized in the SUMMARY OF CORRESPONDENCE, are copies representing a complete record of all correspondence whether mailed or faxed between Applicant's representative and the USPTO found in the files of the undersigned attorney, the representative of Applicant. The undersigned attorney does not know of any other correspondence between Applicant and the USPTO. The record does not include some thirty-one telephone calls since June 10, 2002 attempting to ascertain the status of this case.

The Issue Fee has been paid. Prompt issuance of the patent is respectfully requested.
Applicant requests any additional patent term extension which may be proper.

If further information is requested, please contact the undersigned attorney at the listed telephone number, which is on California time.

Respectfully submitted,



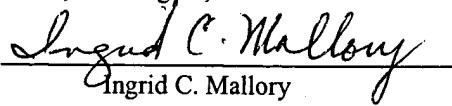
Charles S. Guenzer
Registration No. 30,640
(650) 566-8040

Date: 14 May 2003

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Date: 14 May 2003
Ingrid C. Mallory**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In re Application of:** Celso MARTINEZ, Jr. **Attorneys Docket:** 3815.01**Serial No.:** 09/490,740 **Art Unit No.:** 3635**Filed:** January 25, 2000 **Examiner:** P. Chavez**For:** "A ROOF WATERPROOFING SYSTEM CONSISTING OF AN ORGANIC RESIN PROTECTED BY AN ALUMINUM-COPOLYMER COMPOSITE FOIL"

Commissioner of Patents and Trademarks
Mail Stop: RECONSTRUCTION
Alexandria, VA 22313-1450

SUMMARY OF ALL CORRESPONDENCE

1. 01/25/00 New Application Transmittal Letter (2 pp.)
Filed International Application & Request (14 pp.)
International Publication (12 pp.)
Declaration and Power of Attorney (3 pp.)
Small Entity Statement (2 pp.)
Preliminary Amendment (3 pp.)
Postcard/Express Mail Label (1 p.)
Postcard with serial number and USPTO stamp (1 p.)

2. 04/01/00 Filing Receipt USPTO (2 pp.)
3. 02/20/01 Office Action USPTO (8 pp.)
4. 06/12/01 Combined Amendment & Petition for Extension of Time (2 pp.)
Amendment Under 37 CFR 1.111 (7 pp.)
Substitute Specification, Claims and Abstract (8 pp.)
Original Pencil marked specification, claims and Abstract (7 pp.)
PCT Notification of Transmittal of the International Preliminary
Examination Report (15 pp.)
Postcard & Postcard with USPTO stamp (2 pp.)
5. 09/03/01 Notice of Allowability from USPTO (2 pp.)
6. 11/26/01 Notice of Allowance & Issue Fee (1 p.)
Transmittal of Formal Drawing (1 p.)
Formal Drawings (1 Sheet, Figure 1-3)
Assignment (1 p.)
Recordation (1 p.)
Postcard & Postcard with USPTO stamp (2 pp.)
7. 03/05/02 USPTO Notice of Recordation of Assignment (5 pp.)
8. 06/10/02 Petition Under 37 CFR 1.181 (1 p.)
Facsimile Confirmation Sheet (1 p.)

9. 07/25/02 Status Request (1 p.)

Facsimile Confirmation Sheet (1 p.)

10. 09/10/02 Facsimile to Paul Bell PCT Help Desk. Told by Paul Bell to Fax Petition Under 37 CFR 1.181 and Status Request on 9/10/02 and again on 9/20/02 both confirmation fax sheets included (7 pp.)

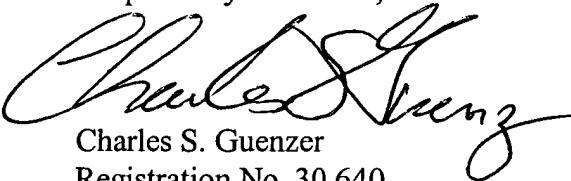
11. 12/26/02 Facsimile to Carol Bidwell USTPO/PCT Legal Office (6 pp.)

12. 05/02/03 Office Communication from USPTO (4 pp.)

Date: 14 May 2003

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P.O. Box 60729
Palo Alto, CA 94306

Respectfully submitted,



Charles S. Guenzer
Registration No. 30,640
(650) 566-8040

In re Application of: Celso MARTINEZ, Jr.
Application No.: 09/490,740
Filing Date: January 25, 2000
Title: A ROOF WATERPROOFING SYSTEM CONSISTING OF AN
ORGANIC RESIN PROTECTED BY AN ALUMINUM COPOLYMER
COMPOSITE FOIL

Direct to: Box Reconstruction
United States Patent and Trademark Office
Washington, DC 20231

NOTICE UNDER 37 CFR 1.251 - Pending Application

Statement (check the appropriate box):

- The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.
- The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).
- The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.
- Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

May 14, 2003
Date


Signature

Charles S. Guenzer
Typed or printed name

A copy of this notice should be returned with the reply.

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Commissioner for Patents
Mail Stop: RECONSTRUCTION
Alexandria, VA 22313-1450

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MAY 27 2003

**LAW OFFICES OF
CHARLES GUENZER**

COMPLETE THIS SECTION ON DELIVERY

A. Signature	<input checked="" type="checkbox"/> Agent	<input type="checkbox"/> Addressee
X	<input type="checkbox"/> If YES, enter delivery address below:	C. Date of Delivery

Is delivery address different from item 1?	<input type="checkbox"/> Yes
If YES, enter delivery address below:	
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	<input type="checkbox"/> Registered	<input checked="" type="checkbox"/> Return Receipt for Merchandise
	<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.
4. Restricted Delivery? (Extra Fee)	<input type="checkbox"/> Yes	

PS Form 3801, August 2001	Domestic Return Receipt	102995-01-M-2509
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APPLICANTS: Celso Martinez, Jr.
TITLE: A ROOF WATERPROOFING SYSTEM
CONSISTING OF AN ORGANIC RESIN
PROTECTED BY AN
ALUMINUM-COPOLYMER COMPOSITE FOIL
SERIAL NO.: 09/490,740
DATE FILED: January 25, 2000

Check Enclosed: No
Mailing Cert.: Priority

Kindly stamp receipt date and mail to acknowledge receipt of the accompanying:

1. Reconstruction of File Under 37 CFR § 1.251 (2 pp.)
2. Summary of All Correspondence (3 pp.)
3. Copies of All Correspondence (124 pp.)
4. Notice Under 37 CFR 1.251 (1 p.)

Date Mailed May 14, 2003
File No: 3815.01



Docketed 5/28/03 Jem

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Sent To Commissioner of Patents
Street, Apt. No., Nat'l / Stop: Reconstruction
or PO Box No. _____
City, State, ZIP _____
Alexandria, VA 22313-1450
PS Form 3801, June 2002
See Reverse for Instructions

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TITLE: A ROOF WATERPROOFING SYSTEM
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Docuted: 5/14/03 rcm